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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

*United States of America,*

Plaintiff,

v.

*Bazaarvoice, Inc.,*

Defendant.

CASE NO.: 13-cv-0133 WHO

**DECLARATION OF KIN GILL IN  
SUPPORT OF DEFENDANT  
BAZAARVOICE, INC.'S  
ADMINISTRATIVE MOTION TO  
SEAL**

Date: April 2, 2014

Time: 2 p.m

Before: Hon. William H. Orrick

1  
2 I, Kin Gill, declare and state as follows:

3 1. I am the Deputy General Counsel of Bazaarvoice, Inc. ("Bazaarvoice"). I have been the  
4 Deputy General Counsel since January 2013. I have personal knowledge of the facts set forth in  
5 this Declaration. If called as a witness, I could and would testify competently to the matters set  
6 forth below.

7  
8 2. During the course of my employment with Bazaarvoice, I have become familiar with the  
9 types of business information that Bazaarvoice considers to be sensitive and confidential.  
10 Bazaarvoice considers information relating to its customers and potential customers sensitive and  
11 confidential business information. Examples of sensitive and confidential customer information  
12 include: customer lists; customer contracts; actual or proposed customer terms; particular  
13 customer pricing information; customer negotiations; and customers' confidential business  
14 plans/strategies.

15  
16 3. Much of this information is governed by contractual confidentiality provisions, which  
17 prohibit disclosure of the information. For example, Bazaarvoice's negotiations with customers  
18 and potential customers are generally covered by confidentiality clauses. Public disclosure of such  
19 confidential information pertaining to customer negotiations would be competitively harmful to  
20 Bazaarvoice because it would provide Bazaarvoice's competitors with an unfair advantage in  
21 negotiating with Bazaarvoice's customers and potential customers.


22  
23 4. Similarly, public disclosure of Bazaarvoice's customer lists, which include details  
24 regarding prices and services, would be competitively harmful to Bazaarvoice. Such disclosure  
25 would provide Bazaarvoice's competitors with unwarranted insight into how Bazaarvoice  
26 structures its customer contracts and prices its services, thereby giving competitors unfair  
27 advantages in negotiating with Bazaarvoice customers and potential customers.  
28

1           5. Bazaarvoice also considers its non-public financial data to be sensitive and confidential.  
2 Disclosure of this information would be competitively harmful to Bazaarvoice because it would  
3 provide Bazaarvoice's competitors with unfair insight regarding Bazaarvoice's current and future  
4 product offerings and business plans.

5           6. Bazaarvoice has embarked on a process of determining whether the assets it acquired from  
6 PowerReviews can be divested. Bazaarvoice has engaged in communications with potential  
7 buyers of those assets. Bazaarvoice has signed non-disclosure agreements with those buyers  
8 which prohibit Bazaarvoice from publicly discussing the identity of the buyer (or identifying  
9 characteristics), the content of communications with the buyer, and the specifics of any bids made  
10 by the buyer. Public disclosure of this information would subject Bazaarvoice to legal action. It  
11 would also harm Bazaarvoice's position were potential buyers to learn information about other  
12 buyers, Bazaarvoice's situation or specifics of other offers.

13           7. I am aware that Bazaarvoice is currently seeking to have portions of its Opposition to  
14 Plaintiff's Motion for Entry of Final Judgment; portions of the Declaration of Alan Godfrey  
15 ("Godfrey Declaration"); Exhibits A-C of the Godfrey Declaration; portions of Plaintiff's Motion  
16 for Entry of Final Judgment; and Exhibit D to Plaintiff's Motion for Entry of Final Judgment  
17 placed under seal due to concern regarding the confidential information contained therein. I am  
18 familiar with the categories of information sought to be sealed and can confirm that these  
19 categories are precisely the type that Bazaarvoice seeks to maintain as confidential.

20           I declare under penalty of perjury under the laws of the United States of America that the  
21 foregoing is true and correct. Executed March 3, 2014, at Austin, Texas.  
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24  
25  
26   
27 Kin Gill  
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